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SUBJECT: SOUTHERN NIGERIA HUMAN RIGHTS UPDATE, APRIL 2005

REF: LAGOS 476

1. This cable is a roundup of various recent incidents that reflect the human rights situation in southern Nigeria. This summary is organized by section of the annual Human Rights Report. These incidents have not been reported in other cables, or are updates of previously reported items.

Section 1 - Respect for the Integrity of the Person

2. On February 17, an Ijaw group captured and held a South Korean employee of Daewoo Nigeria Limited in Bayelsa State. South Korean Embassy and Bayelsa State officials assisted Daewoo in securing the employee's safe release the following morning. South Korean officials believe the group took the employee to raise its profile, though the captors also asked for ransom.

3. On March 6, a headless body was found along a road in Ibadan. On March 8, three headless bodies were discovered in different locations in another area of Ibadan. Local police suspected ritual killings, but investigations have not yielded any additional information.

4. On March 22, the Ikeja High Court ordered the unconditional release of 100 inmates from the Ikoyi Prison in Lagos. The inmates had been awaiting trial for six to fifteen years. The Constitutional Rights Project (CRP) filed the motion for the release of the prisoners and presented the case before the court. CRP representatives argued the periods spent awaiting trial were unconstitutional because the Nigerian Constitution states that any person imprisoned longer than the period allowed by law should be released unconditionally. The law requires suspects to be charged within forty-eight hours of arrest. A CRP representative confirmed that the prisoners have been released.

5. In March, five suspects were arrested for killing of seven oil workers, including two Americans, on April 23, 2004, in Delta State. The trial began March 31 at the Warri Magistrate Court and is still proceeding. Two of the suspects have indicated they were "very involved" in the incident, while the other three are believed to have been accomplices.

6. On April 11, a federal high court in Lagos granted bail to 52 members of the Movement for the Actualization of the Sovereign State of Biafra (MASSOB) arrested in September and charged with treason. The 53rd member of the group had already been released on bail.

7. In early March, the Rivers State government demolished the bulk of the shanty town known as "Agip waterside" in Port Harcourt (reftel). The action leveled hundreds of dwellings and displaced thousands of people. On April 13, the State resumed demolition. The police arrested two Australian journalists when they asked permission to film the demolition. The journalists were released after several hours, without charges. (septel)

Section 2 - Respect for Civil Liberties

8. On March 27, two reporters from the Daily Sun attended the naming ceremony for a grandson of a wife of President Obasanjo. Their intent was to report the event for the newspaper. The infant's parents claimed the reporters planned to abduct the child and called the police. The reporters were arrested, held overnight, and released without charges. The Daily Sun editors believe the parents called the police because they did not want the event reported and feared the information would be used maliciously.

9. On April 8, military authorities detained for questioning the chief correspondent of the Associated Press in Nigeria. Soldiers stopped the correspondent at Dodan barracks in Lagos, on his way to observe a Muslim prayer session for a story on Christian-Muslim relations in Nigeria. The authorities told the correspondent he was detained for entering a military zone without the necessary permit. The authorities released the correspondent after several hours but asked him to report to the garrison command on April 11 to formalize his release.

Section 5 Discrimination, Societal Abuses,
and Trafficking in Persons

10. On March 21, Osun State enacted a law aimed at punishing those who encourage female genital mutilation (FGM). The law makes it a punishable offense to remove any part of a woman or girl's sexual organs, except purely on medical grounds as approved by a doctor. According to the provisions of the law, an offender shall be any female who offers herself for FGM, any person who coerces, entices, or induces any female to undergo FGM, any person who allows his or her daughter to undergo FGM, and any person who other than for medical reasons performs an operation removing part of a woman or girl's sexual organs. The law provides for a N50,000 (\$375) fine or one year's imprisonment or both for a first offence, with doubled penalties for a second conviction.

Section 6 Worker Rights

11. On March 11, members of NUPENG and PENGASSAN, Nigeria's two oil employee unions, began a strike aboard sixteen Tidex Nigeria vessels in Delta, Bayelsa, and Rivers states. (Note: Tidex Nigeria is a subsidiary of the U.S. oil services firm Tidewater International.) About ten days later, the striking employees ordered the ships to be anchored at three ports and prevented other crew members, including 13 Americans and 32-37 other expatriates, from leaving the vessels. The unions began the strike as the result of several industry- and firm-level grievances, including impending staff reductions, changes in hiring practices, and benefit levels of recent contracts. Crews of two of the vessels returned to work on April 12. On April 7, due to USG, GON and national union leadership efforts, the striking employees allowed the expatriates to leave the vessels. The unions ended the strike April 14 after negotiating an agreement with Tidex. Tidex management, however, remains unhappy with some of the terms of the agreement, so further negotiations may be needed.

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